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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,960	02/28/2000	Joel Frederic Plotkin	EJOU0010U/US	9067

31518 7590 01/13/2004

NEIFELD IP LAW, PC
2001 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

EXAMINER

ART UNIT	PAPER NUMBER
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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13

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Commissioner for Patents

See attached notice.

Art Unit: 3629

Appellant's Appeal Brief is defective because it includes amended versions of claims which were not previously entered and examined on the merits.

MPEP 1207 States: "Entry of a new amendment, new affidavit or new evidence in an application on appeal is not a matter of right."

Since applicant's amended version of claims have not been previously entered, and are not entered on appeal as a matter of right, they cannot be entered with the appeal brief. Appellant is required to submit a new brief that only includes and addresses the version of the claims that existed at the time of Examiner's last office action.

Applicant has a shortened statutory period of 30 days to reply. Extension of time may be granted.

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Art Unit: 3629

Washington D.C. 20231

or faxed to:

(703) 872-9306 [Official communications; including After Final
communications labeled "Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451
Crystal Drive, Arlington, VA, 7th floor receptionist.

**JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**